

'DEPARTMENT OF HEALTH AND HUMAN SERVICES  
PUBLIC HEALTH SERVICE  
'INDIAN HEALTH SERVICE  
Rockville, Maryland 20857

Refer to: OAM/DPM

INDIAN HEALTH SERVICE CIRCULAR NO. 92-1

FPM 300

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TEMPORARY DUTY ASSIGNMENTS OF PHS COMMISSIONED CORPS OFFICERS

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1. Purpose

This circular establishes the policy of the Indian Health Service (IHS) on temporary duty (TDY) which includes temporary additional duty (TAD) assignments of Public Health Service (PHS) Commissioned Corps Officers.

2. Coverage

The provisions of this circular apply to all officers being temporarily assigned in the IHS. This policy does not apply to officers working in the IHS who are assigned to tribes or tribal organizations under Public Law 93-638.

3. Definitions

For the purpose of this circular:

- A. "Temporary duty assignment" and "temporary additional duty assignment" means the temporary assignment of an officer outside the scope of duties specified in the officer's billet description for a period not to exceed 6 months with the officer returning to his/her regular duties at the end of the temporary assignment.
- B. "Officer" means PHS Commissioned Corps Officer.

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#### 4. Background

The Indian Preference Act requires the IHS to provide absolute preference, without exception, to qualified Indian applicants in filling all vacancies within the IHS no matter how such vacancies are created, including all initial hirings, reassignments, lateral transfers, promotions, or any other personnel action intended to fill a vacancy.

Technically, a position is not filled by a temporary duty assignment as the officer continues to be the incumbent of the billet from which temporarily assigned. A temporary duty assignment is similar to a "detail" in the civil service system.

#### 5. Policy

The temporary duty assignment of an officer to meet emergencies, perform special projects or studies, or to provide expertise essential for mission accomplishment is permitted for up to 6 months when management is meeting a temporary valid management need. Temporary assignments must be for sound management purposes and not to circumvent the spirit or letter of Indian preference requirements;

#### 6. Authority

- A. The regulatory authority for the temporary duty assignment of PHS Commissioned Corps Officers is JFTR Chapter 2, Part B, paragraph U2145, as amended.
- B. Each Area Director and Associate Director has the authority to approve temporary duty assignments of officers up to a maximum of 6 months. Approvals must be in writing.
- C. Any extension of a temporary duty assignment beyond 6 months up to a maximum of 1 year must be approved in writing by the Director, Division of Commissioned Personnel based on a request in writing from the Director, IHS, explaining and justifying the extraordinary circumstances surrounding the need for an extension. An extension beyond 6 months can technically appropriate if the required personnel order does not change the permanent duty assignment.

7. Procedures

A. A Temporary Duty Assignment of 30 days or less

1. Document this assignment with a memorandum for the officer's official personnel folder showing the temporary duty has been approved by the Area or Associate Director.
2. If the duties to be performed vary significantly from those in the officer's billet description (i.e., direct patient care while on TDY but not in the permanent assignment), the new duties should be described in a memorandum for the officer's official personnel folder to protect the officer in liability issues.
3. The officer may request a performance evaluation of his/her work in the temporary duty assignment.' Whenever possible, this request should be granted.

B. A Temporary Duty Assignment of more than 30 days

1. Written documentation in the form of a memorandum of understanding between the officer's permanent office and the office to which the officer will be assigned on temporary duty is needed. The memorandum of understanding should show the following:
  - a. length of temporary duty assignment;
  - b. organizational location of temporary duty assignment;
  - c. duties to be performed;
  - d. officer's duty station supervisor while on temporary duty;
  - e. source of funding for officer's pay and allowances;
  - f. any special conditions of the assignment; and
  - g.- performance expectations/standards for the assignment.

2. If the officer will be performing duties which are different from those described in his/her billet description, the memorandum of understanding would include a statement of what the new duties are. This is vitally important if the officer will be assuming patient care responsibilities.
  3. A performance evaluation (COER) must be completed and sent to the Division of Commissioned Personnel.
- C. When any of the following occur, a personnel order (1662) must be issued:
1. when temporary duty is being performed en route to a new permanent duty station:
  2. when an officer will be moving into or out of Government quarters during the temporary duty assignment:
  3. when an officer will be paid under a different fiscal appropriation or common accounting number for 30 days or more or -+
  4. when a temporary duty assignment extends beyond 6 months. (Please note: For 1, 2, 3, and 4 in this section, although a personnel order must be issued under these circumstances, the personnel order must not change the permanent duty assignment.)
- D. A travel order is required whenever the officer travels away from his/her permanent duty station.



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